

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:

BANK OF NEW YORK MELLON CORP.
FOREX TRANSACTIONS LITIGATION

12 MD 2335 (LAK)

This document relates to:

*Louisiana Municipal Police Employees' Retirement
System v. The Bank of New York Mellon Corp.*

11 Civ. 9175 (LAK)

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ORDER

LEWIS A. KAPLAN, *District Judge.*

The Bank of New York Mellon objects to Magistrate Judge Cott's October 24, 2013 order denying its motion to compel plaintiffs in the above captioned case to produce certain documents.

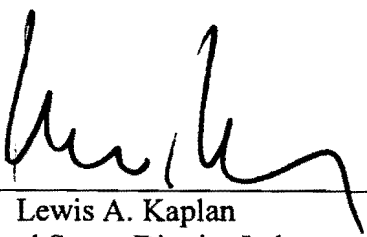
"A party challenging a magistrate judge's ruling on a [discovery-related] matter must demonstrate the judge erred as a matter of law or that the decision rests on a clearly erroneous factual determination." *E.g., Kormendi v. Computer Assocs. Int'l, Inc.*, No. 02 Civ. 2996 (LAK), 2004 WL 121792, at *1 (S.D.N.Y. Jan. 27, 2004).

The Court finds neither. This is particularly so in light of Federal Rule of Civil Procedure 26(b)(2)(C)(iii), under which a court may limit discovery if it determines that "the burden or expense of the proposed discovery outweighs its likely benefit" considering the factors thereafter enumerated.

Accordingly, the order [MD DI 299] is affirmed.

SO ORDERED.

Dated: November 19, 2013



Lewis A. Kaplan
United States District Judge